



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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September 20, 2022

BY ECF

Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jennifer Crespo, et al., v. City of New York, et al.,
22-CV-2693 (BMC)

Your Honor:

I am the attorney in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. Defendants write to provide the Court with an update regarding obtaining plaintiff Mayra Crespo's medical records from Staten Island University Hospital ("SIUH"). See Civil Docket Sheet, Entry No. 21.

By way of background, on September 14, 2022, defendants informed the Court that, on August 26, 2022, they served a subpoena on SIUH for the certified medical records of plaintiff Mayra Crespo, but that SIUH had failed to respond to the subpoena. On that same date, the Court issued an order instructing defense counsel to "submit a proposed Order to Show Cause to hold the witness in contempt of court" with the appropriate supporting documents. See id. at Entry dated September 14, 2022.

Today, while drafting the motion and proposed Order to Show Cause as directed by the Court, the undersigned received an invoice from SIUH for Mayra Crespo's medical records. This invoice states that the records will be sent to defendants as soon as the payment is processed.¹ As such, the undersigned has already submitted the invoice for processing by this Office, and anticipates receiving plaintiff Mayra Crespo's medical records shortly thereafter.

¹ This was the case with obtaining plaintiff Angel Crespo's medical records, wherein defendants received his SIUH medical records within a few days following payment.

Should defendants not receive the outstanding medical records from SIUH, we will expeditiously submit a proposed Order to Show Cause.

Defendants thank the Court for its time and attention to this matter.

Respectfully submitted,

Mostafa Khairy /s/
Mostafa Khairy
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY ECF**
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Attorney for Plaintiffs